

NAWCWDINST 12713.2A
734000D
17 Aug 2000

NAWCWD INSTRUCTION 12713.2A

From: Commander, Naval Air Warfare Center Weapons Division

Subj: EQUAL EMPLOYMENT OPPORTUNITY PROGRAM MANAGEMENT

Ref: (a) Executive Order 11478 of 8 Aug 69
(b) Title VII of the Civil Rights Act of 1964, as amended by Public Law 92-261 of 24 Mar 72
(c) Public Law 93-259 of 8 Apr 74
(d) 29 C.F.R. 1614 EEO Regulations of 22 Oct 92
(e) 29 U.S.C., Section 501, Rehabilitation Act of 1973 of 10 Apr 78
(f) SECNAVINST 12720.5A, DON Civilian Equal Employment Opportunity Program
(g) SECNAV memo of 23 May 94
(h) NAWCWPNS memo 12713 C623/016 of 18 Feb 94
(i) NAWCWPNSINST 12713.1, Discrimination Complaint Procedures

Encl: (1) EEO Program Administration

1. Purpose. To state the Naval Air Warfare Center Weapons Division (NAWCWD) policy on Equal Employment Opportunity (EEO) and to establish program administration responsibilities and program components.

2. Cancellation. NAWCWPNSINST 12713.2

3. Scope. The policies and provisions of this instruction apply to all civilian appropriated and non-appropriated employees of NAWCWD, tenant activities, and applicants for employment to NAWCWD.

4. Background. References (a) through (e) constitute the legal basis for the EEO programs in executive departments and agencies. References (f) through (h) provide for the implementation of Equal Employment Opportunity Programs. Reference (i) addresses the administration of the informal and formal complaints procedures at NAWCWD.

5. Policy. NAWCWD policy is to:

a. Provide EEO to all employees and applicants regardless of race, color, religion, sex, national origin, age, or disability. EEO is an integral part of all personnel policies and procedures having to do with the employment, development, advancement, and treatment of the human resources of NAWCWD and its tenant activities.

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b. Create a workplace free from discriminatory practices, including sexual harassment, and to ensure discrimination complaint procedures are in place to provide adequate counseling and timely processing of all complaints.

c. Develop and implement affirmative employment programs designed to achieve a diverse work force that is reflective of the civilian labor force.

d. Ensure all persons are treated with professional courtesy and respect. Disparaging, demeaning, or derogatory comments or gestures to or about other personnel are not tolerated.

e. Regularly evaluate managers and supervisors on demonstrated practices and support of the NAWCWD EEO objectives that include goal setting, annual evaluation, and accountability for program achievement. All levels of this Command are expected to be as innovative and committed to the pursuit of EEO goals as they are to the pursuit of other mission goals.

6. Responsibilities. Execution of the Department of the Navy's EEO policy and achievement of its objectives are inherent responsibilities of each military and civilian supervisor, manager, and employee. The Commander, NAWCWD, as the EEO Officer, is responsible for ensuring that the requirements of this instruction are carried out. Enclosure (1) is provided to assist in this effort.

7. Program Organization. The Equal Employment Opportunity (EEO) Division, Code 734000D/E, is organizationally located in the Human Resources Department, Code 730000E. The Head, EEO Division, is the Deputy EEO Officer and is principal EEO advisor to the Commander (EEO Officer) and principal management official for all personnel policies and procedures at NAWCWD.

8. Directive Responsibility. The Head, EEO Division, Code 734000E, is responsible for keeping this instruction current.

/s/

R. B. Ormsbee

EEO PROGRAM ADMINISTRATION

1. Commander, NAWCWD. The Commander is designated as the Equal Employment Opportunity Officer for NAWCWD. Commanding Officers/ Officers in Charge of NAWCWD Commands/detachments will serve as EEO Officers for their respective activities. The EEO Officer will:

a. Administer a program designed to meet the corporate goals and objectives of the Department of Navy and NAWCWD.

b. Review and evaluate managerial and supervisory performance to ensure achievement of affirmative employment objectives and to fulfill equal employment requirements and objectives at all levels of the activity.

c. Appoint employees to collateral duty positions as EEO Committee members.

d. Certify offers of full relief. This is done only by the Commander, NAWCWD, or someone acting for the Commander.

2. Deputy EEO Officer. The Head, EEO Division, serves as the Deputy EEO Officer and has lead staff responsibility for all formal EEO and staffing program components.

a. EEO Program Components:

- (1) Affirmative Employment Program
- (2) American Indian/Alaskan Native Employment Program
- (3) Asian American/Pacific Islander Employment Program
- (4) Black Employment Program
- (5) Discrimination Complaints Processing
- (6) Federal Equal Opportunity Recruitment Program
- (7) Federal Women's Program
- (8) Hispanic Employment Program
- (9) People With Disabilities Program
- (10) Student Employment Program

b. The Deputy EEO Officer will:

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(1) Develop NAWCWD policies, plans, and programs, in compliance with Equal Employment Opportunity Commission, Office of Personnel Management, Department of Defense, and Department of the Navy directives, instructions, and policies.

(2) Act as principal advisor to the Commander on all EEO matters and provide technical advice, assistance, and support to line and staff management.

(3) Ensure that all recruitment is planned and executed to establish a diverse work force that is reflective of the civilian labor force in all occupational series and at all grade levels.

(4) Maintain sufficient resources (staff and collateral duty personnel) to develop, implement, and evaluate the EEO program, including regulatory compliance and effectiveness in meeting EEO objectives.

(5) Develop and market strategies to improve the representation and advancement of people with disabilities, minorities, and women in the work force.

(6) Participate in the development of policies, programs, and other issues relating to equal employment opportunities.

(7) Ensure sufficient training relating to EEO issues through formal classes, workshops, seminars, open meetings, etc. These are available to supervisors, managers, and employees.

(8) Act as an advisor to EEO counselors on informal complaints.

(9) Administer special emphasis programs.

(10) Ensure timely processing of discrimination complaints, both informal and formal, working toward resolution whenever feasible.

(11) Act on behalf of the EEO Officer in resolving complaints.

(12) Ensure that as advisors to managers, personnelists are sufficiently trained to accomplish the spirit and intent of EEO policies and objectives in all employment matters.

(13) Ensure that personnelists share specific accountability in their performance objectives for promoting the spirit and intent of EEO policies and goals in all employment matters and advancement opportunities.

(14) Advise management of Department of the Navy's commitment to affirmative employment and the specific programs that could be used to attain established goals.

3. EEO Specialists/Special Emphasis Program Managers. The intent of NAWCWD policy is to integrate the EEO philosophy into all areas of personnel management. The EEO Specialists must be knowledgeable and skilled in personnel policies, practices, and procedures. The EEO Specialists/Special Emphasis Program Managers will:

- a. Advise the EEO Officer, Deputy EEO Officer, and personnelists on issues relating to their special program assignments.
 - b. Assist in developing and executing the Multiyear Affirmative Employment Program Plan for Minorities and Women and People With Disabilities and the Annual Accomplishment Report update.
 - c. Manage special emphasis programs as assigned.
 - d. Actively and aggressively recruit qualified applicants for referral and selection to achieve a diversified work force that reflects the civilian labor force.
 - e. Advise the EEO Officer or Deputy EEO Officer on recruitment planning and activities to reach program goals and objectives.
 - f. Identify and define trends in the community at large within their respective program areas.
4. Command EEO Counselors. Command Counselors provide EEO counseling services to employees and applicants for employment who perceive that they were discriminated against because of their race, color, age, religion, sex, national origin, disability, or reprisal for prior EEO complaint involvement. In addition, the Command EEO Counselor will:
- a. Manage the informal complaints process.
 - b. Consult and mediate EEO disputes between contending parties.
 - c. Conduct prompt, neutral fact-finding.
 - d. Develop and recommend options to contending parties and fashion resolutions whenever possible.
 - e. Identify and define trends in discrimination issues.
5. Joint-Site EEO Advisory Committee. The Joint-Site EEO Advisory Committee is the recommending body to the EEO Officer, competency leaders and the Deputy EEO Officer on EEO matters, affirmative employment, and the Federal Equal Opportunity Recruitment program. The committee chairperson must be Level 3 or higher. Responsibilities include:
- a. Support programs that increase the representation and advancement of minorities, women, and people with disabilities in the NAWCWD work force.
 - b. Serve as a two-way information conduit between the work force and Command.
 - c. Foster partnership with special emphasis groups.
 - d. Monitor the organization's progress in implementing initiatives.

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e. Promote equality and fair and consistent treatment of all employees and applicants at NAWCWD.

6. Managers and Supervisors. Managers and supervisors are responsible and accountable for the successful implementation of EEO practices and programs. The EEO objectives are a required element in every supervisor's and manager's performance plan. Demonstrated results of these efforts in selection, training, and advancement of minorities, women, and people with disabilities is a significant factor in their annual ratings and in consideration for awards. Managers and supervisors will:

a. Actively implement and practice support of the EEO policies and objectives of NAWCWD.

b. Implement and practice EEO principles in matters pertaining to recruitment, the selection process, performance evaluation, promotion, award recommendations, discipline, training, details, work assignments, and overall motivation of employees.

c. Cooperate fully with inquiries by EEO counselors or EEO investigators into informal and formal discrimination complaints.

d. Ensure that employees are free from reprisal for filing an informal or formal complaint.

e. Ensure that posters and other visual material of a derogatory or suggestive nature are not displayed in the work environment.

f. Not use racial, ethnic, or derogatory words and gestures at the work site.

g. Actively work towards complaint resolution at the earliest possible stage.

h. Attend the Prevention of Sexual Harassment training and demonstrate commitment to the prevention and elimination of sexual harassment by taking the following actions:

(1) Inform subordinates that sexual harassment in any form is not tolerated at NAWCWD and that civilians or military personnel who violate this policy are subject to the full range of military/civilian disciplinary actions outlined in NAWCWPNSINST 12751.1 and the Uniform Code of Military Justice.

(2) Monitor the work environment to provide a work place free from sexual harassment and take action as soon as any situation occurs.

(3) Counsel subordinates on behavior(s) that can lead to problems.

(4) Ensure that employees read and understand this instruction.

(5) Display EEO posters and related materials on all employee official bulletin boards.

7. Employees

a. Each employee at NAWCWD is responsible for understanding the intent of the EEO program. Employees will respect the rights of other employees and refrain from using racial, ethnic, or derogatory language or gestures. Employees will not display posters and other visual material of a derogatory or suggestive nature in their work environment.

b. Every employee or applicant has the right to seek counseling with a Command EEO Counselor.

c. Employees are responsible for obtaining approval from their immediate supervisors before leaving a work area for counseling. If the workload does not permit an employee to leave at the desired time, the supervisor will identify for the employee an alternate time when he or she will be permitted to obtain counseling.

d. On issues of sexual harassment or allegations of physical assault, employees may seek assistance from any of the following: The supervisor, Command EEO Counselor, the Federal Women's Program Manager, or the Deputy EEO Officer.